

JUDGE JONES

10 CV 6885
 IN THE UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF NEW YORK

Ildyrym Abdulaev, individually :
 and as personal representative of :
 the estate of Rafiq Nariman :
Abdulaev, deceased; Aglydzhan :
 Abdulaev; Gyzyrgul Abdulaeva; :
 Sabukhi Abdulaev; Zibeida :
 Abdulaeva; Mamed Abdulaev; :
 Balakhan Abdulaev; Vagif Abdulaev; :
 And Tofig Abdulaev; :

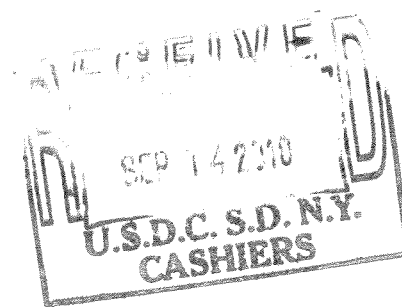
Fergane Kheirulla, individually :
 and as personal representative of :
 the estate of Mamemdali Azizov, :
deceased, Farid Azizli, a minor by :
 his mother and guardian, Fergane :
 Kheirulla; Hikmet Azizli; Feride :
 Azizli; Sarme Ataeva; Hezi Azizov; :
 Fikret Azizov; Sevda Agayeva; :
 Nazila Azizova; Sanubar Azizova; :
 and Nazaket Azizova; :

Vasiliy Alexandrov, individually :
 and as personal representative of :
 the estate of Ekaterina :
Alexandrova, deceased; Valentina :
 Alexandrova; and Sergey Alexandrov :

Alexey Afonasenkov, individually :
 and as personal representative of :
 the estate of Alexey Afonasenkov, :
Jr., deceased; Alexander :
 Afonasenkov; Ivan Afonasenkov; :
 Irina Afonasekova; and Yuliya :
 Afonasenkova; :

Valentina Birlovskaya, individually :
 and as personal representative :
 of the estate of Nataliya :
Birlovskaya, deceased; :

COPY



Case No.

COMPLAINT AND
 JURY DEMAND

Svetlana Golomonzina, individually :
 and as personal representative of :
 the estate of Mikhail Golomonzin, :
deceased; Igor Golomonzin; and :
 Gennadiy Golomonzin; :

Elena Demeneva, individually and :
 as personal representative of the :
 estate of Oleg Demenev, deceased, :
 Vadim Demenev, a minor, by his :
 mother and guardian, Elena :
 Demeneva, Mikhail Demenev, a :
 minor, by his mother and guardian, :
 Elena Demeneva, David Demenev, a :
 minor, by his mother and guardian, :
 Elena Demeneva; Alevtina Demeneva; :
 and Yuriy Demenev; :

Ravshan Jalalov, individually and :
 as personal representative of the :
 estate of Akif Saday Jalalov, :
deceased; Mahbuba Jalalova; Hakim :
 Jalalov; Anar Jalalov; Hayal :
 Jalalov; Tohfa Jalalova; Zabil :
 Jalalov; Zahid Jalalov; Rahib :
 Jalalov; Zokhra Huseynova; Naib :
 Jalalov; Gulhanym Rustamova; :
 Ilkham Jalalov; and :
 Parvana Habibova; :

Anna Efremova, individually and :
 as personal representative of the :
 estate of Dmitriy Efremov, :
deceased, Vladislav Efremov, a :
 minor, by his mother and guardian, :
 Anna Efremova; Vladislav Efremov, :
 Sr.; and Lyudmila Efremova; :

Vladimir Zalazaev, individually :
 and as personal representative of :
 the estate of Olga Zalazaeva a/k/a :
Olga Senkevich, deceased; Natalia :
 Zalazaeva; and Aleksey Zalazaev; :

Olga Kytmanova, individually and :
 as personal representative of the :
 estate of Illya Kytmanov, :
deceased; Vladimir Kytmanov; and :
 Anton Kytmanov; :

Hanahmed Mirzoev, individually and :
 as personal representative of the :
 estate of Nurida Mirzoeva, :
deceased; Zivar Mirzoeva; and Nail :
 Mirzoev; :

Rambom Binyaminov, individually :
 and as personal representative of :
 the estate of Golda Nakhumova, :
deceased; Solmaz Binyaminova; Emil :
 Binyaminov; and Lyudmila :
 Binyaminova; :

Khavasilit Nakhumova, individually :
 and as personal representative of :
 the estate of Ilya Nakhumov, :
deceased; Rambom Binyaminov; :
 Solmaz Binyaminova; :

Khavasilit Nakhumova, individually :
 and as personal representative of :
 the estate of Ifraim Nakhumov, :
deceased; Miriam Nakhumova; Sofia :
 Nakhumova; Sabo Nakhumova; Flora :
 Nakhumova; Tamila Nakhumova; Iosif :
 Nakhumov; :

Khavasilit Nakhumova, individually :
 and as personal representative of :
 the estate of Eva Nakhumova, :
deceased; Rambom Binyaminov; :
 Solmaz Binyaminova; :

Alexander Oparin, individually and :
 as personal representative of the :
 estate of Alexey Oparin, deceased; :
 Lyudmila Oparina; Alexander :
 Oparin, Jr.; and Anna Naumova; :

Zhumshit Aslanov, individually and :
 as personal representative of the :
 estate of Tagi Osmanov, deceased; :
 and Naila Asmanova; :

Margarita Pahomova, individually :
 and as personal representative of :
 the estate of Olga Petrova, :
deceased; Natalya Petrova; Igor :
 Pahomov; Yuriy Pahomov; :

Irina Popova, individually and as :
 personal representative of the :
 estate of Marina Popova, deceased; :
 Igor Popov; and Ekaterina Popova; :

Alexander Sankin, individually and :
 as personal representative of the :
 estate of Evgeniy Sankin, :
deceased; Margarita Sankina; and :
 Victoria Sankina; :

Victor Senkevich, individually and :
 as personal representative of the :
 estate of Sergey Senkevich, :
deceased; Tatyana Senkevich; and :
 Olga Senkevich; :

Lyudmila Pelishenko, individually :
 and as personal representative of :
 the estate of Elena Solodnikova, :
deceased; :

Nataliya Margolina, individually :
 and as personal representative of :
 the estate of Alexandra Spivak, :
deceased; Sergey Margolin; Tatyana :
 Margolina; and Alexander Sankin; :

Natailya Margolina, individually :
 and as personal representative of :
 the estate of Anna Spivak, :
deceased; Sergey Margolin; and :
 Tatyana Margolina; :

Alexander Sankin, individually and :
 as personal representative of the :
 estate of Yakov Spivak, deceased; :
 Zoya Prudnikova; and Egor :
 Prudnikov; :

Khalima Taymetova, individually :
 and as personal representative of :
 the estate of Bobir Taymetov, :
deceased; Nodira Taymetova; and :
 Nargiza Taymetova; :

Margarita Belysheva, individually :
 and as personal representative of :
 the estate of Marina Tarasova, :
deceased; :

Yuriy Tarasov, individually and as :
 personal representative of the :
 estate of Yana Tarasova, deceased; :
 Olga Kalinina; and Stanislav :
 Tarasov; :

Fang Qishan, individually and as :
 personal representative of the :
 estate of Fang Fang, deceased; :
 Bao Cui Qin; and Fang Yue Zong; :

Svetlana Sharafurtdinova, :
 individually and as personal :
 representative of the estate of :
Elena Shleikova, deceased; Nadzhip :
 Sharafutdinov; Evelina :
 Sharafutdinov; and Christina :
 Shleikova; :

Yuriy Tarasov, individually and as :
 personal representative of the :
 estate of Mark Yashmanov, :
deceased; :

Yuriy Tarasov, individually and as :
 personal representative of the :
 estate of Semen Yashmanov, :
deceased; :

Janusz Sobek, individually and as :
 personal representative of the :
 estate of Christian Sobek, :
deceased; Gregorz Sobek; and :
 Pawel Sobek; :

Seadet Safieva, individually and :
 as personal representative of the :
 estate of Ismail Safiev, deceased; :
 Nabat Safieva; Tunzila Safieva; :
 Sadagat Safieva; and Khatira :
 Shirinova; :

Nadiya Makarova, individually and :
 as personal representative of the :
 estate of Sofia Ustinova, :
deceased; Vadim Makarov; Polina :
 Makarova; and Georgy Makarov; :

Alexander Sankin, individually :
 and as personal representative of :
 the estate of Lyudmila Sankina, :
deceased; Egor Prudnikov; Zoya :
 Prudnikova; and Larisa Vorobyova; :

Plaintiffs, :

-vs- :

Nordavia f/k/a Aeroflot-Nord; :
 Aeroflot Russian Airlines; :
 Pinewatch Limited; ARN 737 :
 Limited; Sojitz Aircraft Leasing, :
 B.V; and Wells Fargo Bank :
 Northwest, N. A.; :

Defendants. :

NOW COME the Plaintiffs, and each of them, complaining
 against the Defendants, Nordavia f/k/a Aeroflot-Nord;
 Aeroflot Russian Airlines; Pinewatch Limited; ARN 737
 Limited; Sojitz Aircraft Leasing, B.V.; and Wells Fargo
 Bank Northwest, N.A., and each of them, state as follows:

JURISDICTION AND VENUE

1. This action arises seeks damages arising from the wrongful deaths of plaintiff's decedents, and each of them, arising from the crash of a Boeing 737 airplane operated as Aeroflot-Nord Flight 821 near Perm, Russian on September 14, 2008.

2. Original jurisdiction exists in district court of the United States pursuant to 28 U.S.C. § 1369, commonly known as the Multiparty, Multiforum Jurisdiction Act.

3. Venue exists in this district pursuant to 28 U.S.C. § 1391(b) as the defendants, and each of them, reside in this district and/or substantial part of the events or omission giving rise to the claims occurred in this district and/or one or more of the defendants may be found in this district and there is no other district in which the action may be otherwise brought.

GENERAL ALLEGATIONS

1. Prior to February 2008 and through and including the present time, the defendant, Sojitz Aircraft Leasing, B.V., was and continues to be a legal business entity organized and existing under the laws of the Netherlands and which did and does substantial business in this district.

2. Prior to February 2008, a certain aircraft, to wit: a Boeing model 737-500 bearing airframe serial number 25792 (hereinafter "accident aircraft") was owned or leased by a wholly owned subsidiary of the Defendant, Sojitz Aircraft Leasing, B.V. and operated by a Chinese air carrier.

3. Prior to February 2008, the defendant, Sojitz Aircraft Leasing, B.V. created or caused to be created a legal business entity under the laws of Bermuda which entity was the Defendant, ARN 737 Limited.

4. At all times herein relevant, the defendant, Sojitz Aircraft Leasing, B.V., was the sole shareholder of the defendant, ARN 737 Limited.

5. The defendant, ARN 737 Limited was created by Sojitz Aircraft Leasing, B.V. for the purpose of transferring ownership to a Bermuda company in order to facilitate a lease of the accident aircraft to Aeroflot-Nord.

6. Prior to February 2008, the defendant, Sojitz Aircraft Leasing, B.V. created or caused to be created a legal business entity under the laws of Ireland which entity was the Defendant, Pinewatch Limited.

7. At all times herein relevant, the defendant, Sojitz Aircraft Leasing, B.V., was the sole shareholder of the defendant, Pinewatch Limited.

8. The defendant, Pinewatch Limited was created by Sojitz Aircraft Leasing, B.V. for the purpose of leasing the accident aircraft to an Irish company in order to facilitate a lease of the accident aircraft to Aeroflot-Nord.

9. Aeroflot-Nord was a Russian joint stock company beginning in August 2004. On December 1, 2009, Aeroflot-Nord changed its name and identity to the defendant, Nordavia. On May 6, 2010, the defendant, Aeroflot Russian Airlines acquired all remaining stock of defendant, Nordavia, and Nordavia became a wholly owned subsidiary of the defendant, Aeroflot Russian Airlines.

10. At all times herein relevant on, prior and subsequent to September 14, 2008, the defendant, Aeroflot Russian Airlines, was a Russian joint stock company which held majority ownership of the defendant, Aeroflot-Nord, and had the right to and exercised its right to control, direct and ratify the conduct and actions of the defendant, Aeroflot-Nord.

11. At all time herein relevant, the defendant, Aeroflot-Nord, was acting as the agent of the defendant,

Aeroflot Russian Airlines, and the defendant, Aeroflot-Nord was at all times acting within the scope of its agency of the defendant, Aeroflot Russian Airlines.

12. At all times herein relevant, the accident aircraft was a dangerous instrumentality and possessed the ability to inflict significant harm to persons and property.

13. In or about February 2008, the defendant, Sojitz Aircraft Leasing, B.V., arranged for ownership of the accident aircraft to be transferred to its wholly subsidiary, the defendant, ARN 737 Limited.

14. The defendants, Sojitz Aircraft Leasing, B.V., ARN 737 Limited and Pinewatch Limited, and each of them, were not U.S. citizens or residents aliens and therefore solicited the defendant, Wells Fargo Bank Northwest, N. A., to act as the trustee owner of the accident aircraft for the purpose of registering the aircraft in the United States and obtaining a certificate of airworthiness from the government of the United States for the accident aircraft.

15. On or about February 20, 2008, Sojitz Aircraft Leasing, B.V., and ARN 737 Limited, solicited and engaged the Defendant, Wells Fargo Bank Northwest, N.A., to create a trust agreement known as Trust No. 25792 for the purpose

of becoming the owner trustee of the accident aircraft with the beneficial owner under the trust being the defendant, ARN 737 Limited.

16. The defendants, Sojitz Aircraft Leasing, B.V., ARN 737 Limited, Wells Fargo Bank Northwest, N.A., and Pinewatch Limited acted jointly to assign ownership of the accident aircraft to the trust of the defendant, Wells Fargo Bank Northwest, N.A., when each knew that the foreign defendants, Sojitz Aircraft Leasing, B.V., ARN 737 Limited, and/or Pinewatch Limited, had the right either directly or indirectly to direct and and/or remove the owner trustee contrary to and in violation of 14 C.F.R. § 47.7.

17. Upon transfer of ownership of the accident aircraft to the defendant, Wells Fargo Bank Northwest, N.A., ARN 737 Limited, and Sojitz Aircraft Leasing, B.V., and each of them, undertook actions necessary to register the accident aircraft in the aircraft registry of the United States of America.

18. On March 24, 2008, the Federal Aviation Administration of the United States of America registered and issued a Certificate of Registration to the Defendant, Wells Fargo Bank Northwest, N.A. under Trust No. 25792 for the accident aircraft under U.S. registration marking N257SZ.

19. The defendants, Sojitz Aircraft Leasing, B.V., ARN 737 Limited, Wells Fargo Bank Northwest, N.A., and Pinewatch Limited acted jointly to retain and compensate a designated airworthiness representative, Manfred Herweg, to issue a certificate of airworthiness on behalf of the U.S. Federal Aviation Administration.

20. At all times herein relevant, the designated airworthiness representative, Manfred Herweg, acted as agent of the defendants, Sojitz Aircraft Leasing, B.V., ARN 737 Limited, Wells Fargo Bank Northwest, N.A., and Pinewatch Limited.

21. That Manfred Herweg, as agent of the defendants, Sojitz Aircraft Leasing, B.V., ARN 737 Limited, Wells Fargo Bank Northwest, N.A., and Pinewatch Limited failed to conduct a proper and adequate inspection of the accident aircraft.

22. Notwithstanding, Manfred Herweg, as agent of the defendants, Sojitz Aircraft Leasing, B.V., ARN 737 Limited, Wells Fargo Bank Northwest, N.A., and Pinewatch Limited, issued an FAA Export Certificate of Airworthiness on March 26, 2008.

23. At no time was the accident aircraft ever physically present in the United States or Bermuda.

24. Following the issuance of the FAA Export Certificate of Airworthiness on March 26, 2008, the defendants, Sojitz Aircraft Leasing, B.V., ARN 737 Limited, Wells Fargo Bank Northwest, N.A., and Pinewatch Limited, caused the accident aircraft and its engines to be sold by the defendant, Wells Fargo Bank Northwest, N.A., on March 31, 2008; caused a certificate of registration to be issued for the accident aircraft by the government of Bermuda to the defendant ARN 737 Limited on April 7, 2008; caused a certificate of airworthiness to be issued for the accident aircraft by the government of Bermuda on May 23, 2008; and caused the possession of the accident aircraft to be entrusted to Aeroflot-Nord, which began operating the aircraft on May 30, 2008.

25. That the sublease between defendant, Pinewatch Limited, and defendant, Aeroflot-Nord, was entered into on March 14, 2008 and a certificate of acceptance of the accident aircraft was executed by defendant, Aeroflot-Nord, on March 24, 2008, and at a time when the accident aircraft was owned by the defendant, Wells Fargo Bank Northwest, N.A., an American citizen and resident.

26. That the sublease between defendant, Pinewatch Limited, and defendant, Aeroflot-Nord, called for certain monetary payments pursuant to the terms of the sublease to

be paid to a bank account in New York, New York maintained in the name of Aeroflot-Nord

27. On September 14, 2008, the accident aircraft was being operated by defendant, Aeroflot-Nord, on a commercial passenger flight known as Flight 821 from Moscow, Russia to Perm Russia.

28. On September 14, 2008, the plaintiffs' decedents, Rafiq Nariman Abdulaev; Mamemdali Azizov; Ekaterina Alexandrova; Alexey Afonasenkov, Jr.; Nataliya Birlovskaya; Mikhail Golomonzin; Oleg Demenev; Akif Saday Jalalov; Dmitriy Efremov; Olga Zalazaeva a/k/a Olga Senkevich; Illya Kytmanov; Nurida Mirzoeva; Golda Nakhumova; Ilya Nakhumov; Ifraim Nakhumov; Eva Nakhumova; Alexey Oparin; Tagi Osmanov; Olga Petrova; Marina Popova; Evgeniy Sankin; Sergey Senkevich; Elena Solodnikova; Alexandra Spivak; Anna Spivak; Yakov Spivak; Bobir Taymetov; Marina Tarasova; Yana Tarasova; Fang Fang; Elena Shleikova; Mark Yashmanov; Semen Yashmanov; Christian Sobek; Ismail Safiev; Sofia Ustinova; and Lyudmila Sankina; and each of them, were passengers aboard the accident aircraft being operated as Flight 821.

COUNT I

NEGLIGENT ENTRUSTMENT - OWNERS/LESSORS - WRONGFUL DEATH

1-28. Plaintiffs hereby adopt and allege paragraphs 1 through 28 of plaintiffs' General Allegations

as and for paragraphs 1 through 28, inclusive of Count I as though fully set forth herein.

29. The defendants, Sojitz Aircraft Leasing, B.V., ARN 737 Limited, Wells Fargo Bank Northwest, N.A., and Pinewatch Limited, and each of them, were negligent in the entrustment of the accident aircraft in a manner including but not limited to one or more of the following particulars:

- a) Negligently and carelessly entrusted the accident aircraft to Aeroflot-Nord for transportation of passengers for hire without determining that Aeroflot-Nord had the proper and adequate instruction, training, knowledge, experience, expertise and/or personnel to safely do so;
- b) Negligently and carelessly entrusted the accident aircraft to Aeroflot-Nord when these defendants knew, or should have known, that Aeroflot-Nord was operating the aircraft without properly qualified and properly certified flight crews;
- c) Negligently and carelessly entrusted the accident aircraft to Aeroflot-Nord when these defendants knew, or should have known, that Aeroflot-Nord did not possess the manuals and instructions necessary for safe operation and maintenance of the aircraft;
- d) Negligently and carelessly entrusted the accident aircraft to Aeroflot-Nord when these defendants knew, or should have known, that Aeroflot-Nord was operating the aircraft without complying with the manufacturer's recommended operating procedures and manuals and instructions; and/or

- e) Negligently and carelessly entrusted the accident aircraft to Aeroflot-Nord when these defendants knew, or should have known, that the aircraft did not have an Approved Maintenance Program under the lease and that said aircraft was not being maintained pursuant to an Approved Maintenance Program under the lease.

30. As a direct and proximate result of the negligent entrustment by the defendants, Sojitz Aircraft Leasing, B.V., ARN 737 Limited, Wells Fargo Bank Northwest, N.A., and Pinewatch Limited, and each of them, of the accident aircraft to Aeroflot-Nord, the accident aircraft was caused to and did crash into the ground near Perm, Russia, and as a consequence thereof, the plaintiffs' decedents, and each of them, suffered personal injuries that resulted in their deaths.

31. At the time of their deaths, the plaintiffs' decedents, and each of them, left surviving certain next-of-kin and/or heirs, including but not limited to plaintiffs, Ildyrym Abdulaev; Aglydzhan Abdulaev; Gyzyrgul Abdulaeva; Sabukhi Abdulaev; Zibeida Abdulaeva; Mamed Abdulaev; Balakhan Abdulaev; Vagif Abdulaev; Tofiq Abdulaev; Fergane Kheirulla; Farid Azizli, a minor; Hikmet Azizli; Feride Azizli; Sarme Ataeva; Hezi Azizov; Fikret Azizov; Sevda Agayeva; Nazila Azizova; Sanubar Azizova; Nazaket Azizova; Vasiliy Alexandrov; Valentina Alexandrova;

Sergey Alexandrov; Alexey Afonasenkov; Alexander
 Afonasenkov; Ivan Afonasenkov; Irina Afonasekova; Yuliya
 Afonasenkova; Valentina Birlovskaya; Svetlana Golomonzina;
 Igor Golomonzin; Gennadiy Golomonzin; Elena Demeneva; Vadim
 Demenev, a minor; Mikhail Demenev, a minor; David Demenev,
 a minor; Alevtina Demeneva; Yuriy Demenev; Ravshan Jalalov;
 Mahbuba Jalalova; Hakim Jalalov; Anar Jalalov; Hayal
 Jalalov; Tohfa Jalalova; Zabil Jalalov; Zahid Jalalov;
 Rahib Jalalov; Zokhra Huseynova; Naib Jalalov; Gulhany
 Rustamova; Ilkham Jalalov; Parvana Habibova; Anna Efremova;
 Vladislav Efremov, a minor; Vladislav Efremov, Sr.;
 Lyudmila Efremova; Vladimir Zalazaev; Natalia Zalazaeva;
 Aleksey Zalazaev; Olga Kytmanova; Vladimir Kytmanov; Anton
 Kytmanov; Hanahmed Mirzoev; Zivar Mirzoeva; Nail Mirzoev;
 Rambom Binyaminov; Solmaz Binyaminova; Emil Binyaminov; and
 Lyudmila Binyaminova; Khavasilit Nakhumova; Rambom
 Binyaminov; Solmaz Binyaminova; Khavasilit Nakhumova;
 Miriam Nakhumova; Sofia Nakhumova; Sabo Nakhumova; Flora
 Nakhumova; Tamila Nakhumova; Iosif Nakhumov; Khavasilit
 Nakhumova; Rambom Binyaminov; Solmaz Binyaminova; Alexander
 Oparin; Lyudmila Oparina; Alexander Oparin, Jr.; Anna
 Naumova; Zhumshit Aslanov; Naila Osmanova; Margarita
 Pahomova; Natalyia Petrova; Igor Pahomov; Yuriy Pahomov;
 Irina Popova; Igor Popov; Ekaterina Popova; Alexander

Sankin; Margarita Sankina; Victoria Sankina; Victor Senkevich; Tatyana Senkevich; Olga Senkevich; Lyudmila Pelishenko; Nataliya Margolina; Sergey Margolin; Tatyana Margolina; Alexander Sankin; Nataliya Margolina; Sergey Margolin; Tatyana Margolina; Alexander Sankin; Zoya Prudnikova; Egor Prudnikov; Khalima Taymetova; Djakhangir Taymetov; Nodira Taymetova; Nargiza Taymetova; Margarita Belysheva; Yuriy Tarasov; Olga Kalinina; Stanislav Tarasov; Fang Qishan; Bao Cui Qin; Fang Yue Zong; Svetlana Sharafutdinova; Nadzhip Sharafutdinov; Evelina Sharafutdinov; Christina Shleikova; Yuriy Tarasov; Janusz Sobek; Gregorz Sobek; and Pawel Sobek; Seadet Safieva; Nabat Safieva; Tunzila Safieva; Sadagat Safieva; Khatira Shirinova; Nadiya Makarova; Vadim Makarov; Polina Makarova; and Georgy Makarov; Alexander Sankin; Egor Prudnikov; Zoya Prudnikova; and Larisa Vorobyova; each for whose benefit this action is brought.

32. By reason of the premises, said next-of-kin and/or heirs of plaintiffs' decedents, including but not limited to plaintiffs, Ildyrym Abdulaev; Aglydzhan Abdulaev; Gyzyrgul Abdulaeva; Sabukhi Abdulaev; Zibeida Abdulaeva; Mamed Abdulaev; Balakhan Abdulaev; Vagif Abdulaev; Tofig Abdulaev; Fergane Kheirulla; Farid Azizli, a minor; Hikmet Azizli; Feride Azizli; Sarame Ataeva; Hezi

Azizov; Fikret Azizov; Sevda Agayeva; Nazila Azizova;
 Sanubar Azizova; Nazaket Azizova; Vasiliy Alexandrov;
 Valentina Alexandrova; Sergey Alexandrov; Alexey
 Afonasenkov; Alexander Afonasenkov; Ivan Afonasenkov; Irina
 Afonasekova; Yuliya Afonasenкова; Valentina Birlovskaya;
 Svetlana Golomonzina; Igor Golomonzin; Gennadiy Golomonzin;
 Elena Demeneva; Vadim Demenev, a minor; Mikhail Demenev, a
 minor; David Demenev, a minor; Alevtina Demeneva; Yuriy
 Demenev; Ravshan Jalalov; Mahbuba Jalalova; Hakim Jalalov;
 Anar Jalalov; Hayal Jalalov; Tohfa Jalalova; Zabil Jalalov;
 Zahid Jalalov; Rahib Jalalov; Zokhra Huseynova; Naib
 Jalalov; Gulhany Rustamova; Ilkham Jalalov; Parvana
 Habibova; Anna Efremova; Vladislav Efremov, a minor;
 Vladislav Efremov, Sr.; Lyudmila Efremova; Vladimir
 Zalazaev; Natalia Zalazaeva; Aleksey Zalazaev; Olga
 Kytmanova; Vladimir Kytmanov; Anton Kytmanov; Hanahmed
 Mirzoev; Zivar Mirzoeva; Nail Mirzoev; Rambom Binyaminov;
 Solmaz Binyaminova; Emil Binyaminov; and Lyudmila
 Binyaminova; Khavasilit Nakhumova; Rambom Binyaminov;
 Solmaz Binyaminova; Khavasilit Nakhumova; Miriam Nakhumova;
 Sofia Nakhumova; Sabo Nakhumova; Flora Nakhumova; Tamila
 Nakhumova; Iosif Nakhumov; Khavasilit Nakhumova; Rambom
 Binyaminov; Solmaz Binyaminova; Alexander Oparin; Lyudmila
 Oparina; Alexander Oparin, Jr.; Anna Naumova; Zhumshit

Aslanov; Naila Osmanova; Margarita Pahomova; Natalyia Petrova; Igor Pahomov; Yuriy Pahomov; Irina Popova; Igor Popov; Ekaterina Popova; Alexander Sankin; Margarita Sankina; Victoria Sankina; Victor Senkevich; Tatyana Senkevich; Olga Senkevich; Lyudmila Pelishenko; Nataliya Margolina; Sergey Margolin; Tatyana Margolina; Alexander Sankin; Nataliya Margolina; Sergey Margolin; Tatyana Margolina; Alexander Sankin; Zoya Prudnikova; Egor Prudnikov; Khalima Taymetova; Djakhangir Taymetov; Nodira Taymetova; Nargiza Taymetova; Margarita Belysheva; Yuriy Tarasov; Olga Kalinina; Stanislav Tarasov; Fang Qishan; Bao Cui Qin; Fang Yue Zong; Svetlana Sharafutdinova; Nadzhip Sharafutdinov; Evelina Sharafutdinov; Christina Shleikova; Yuriy Tarasov; Janusz Sobek; Gregorz Sobek; and Pawel Sobek; Seadet Safieva; Nabat Safieva; Tunzila Safieva; Sadagat Safieva; Khatira Shirinova; Nadiya Makarova; Vadim Makarov; Polina Makarova; and Georgy Makarov; Alexander Sankin; Egor Prudnikov; Zoya Prudnikova; and Larisa Vorobyova; and each of them, have sustained substantial personal and pecuniary damages, including but not limited to, loss of society and companionship, moral damages, and the loss of each of the respective decedent's earning capacity.

33. That Ildyrym Abdulaev is the personal representative of the estate of Rafiq Nariman Abdulaev, deceased; Fergane Kheirulla is the personal representative of the estate of Mamemdali Azizov, deceased; Vasiliy Alexandrov is the personal representative of the estate of Ekaterina Alexandrova, deceased; Alexey Afonasev is the personal representative of the estate of Alexey Afonasev, Jr., deceased; Valentina Birlovskaya is the personal representative of the estate of Nataliya Birlovskaya, deceased; Svetlana Golomonzina is the personal representative of the estate of Mikhail Golomonzin, deceased; Elena Demeneva is the personal representative of the estate of Oleg Demenev, deceased; Ravshan Jalalov is the personal representative of the estate of Akif Saday Jalalov, deceased; Anna Efremova is the personal representative of the estate of Dmitriy Efremov, deceased; Vladimir Zalazaev is the personal representative of the estate of Olga Zalazaeva a/k/a Olga Senkevich, deceased; Olga Kytmanova is the personal representative of the estate of Illya Kytmanov, deceased; Hanahmed Mirzoev is the personal representative of the estate of Nurida Mirzoeva, deceased; Rambom Binyaminov is the personal representative of the estate of Golda Nakhumova, deceased; Khavasilit Nakhumova is the personal representative of the estate of

Ilya Nakhumov, deceased; Khavasilit Nakhumova is the personal representative of the estate of Ifraim Nakhumov, deceased; Khavasilit Nakhumova is the personal representative of the estate of Eva Nakhumova, deceased; Alexander Oparin is the personal representative of the estate of Alexey Oparin, deceased; Zhumshit Aslanov is the personal representative of the estate of Tagi Osmanov, deceased; Margarita Pahomova is the personal representative of the estate of Olga Petrova, deceased; Irina Popova is the personal representative of the estate of Marina Popova, deceased; Alexander Sankin is the personal representative of the estate of Evgeniy Sankin, deceased; Victor Senkevich is the personal representative of the estate of Sergey Senkevich, deceased; Lyudmila Pelishenko is the personal representative of the estate of Elena Solodnikova, deceased; Nataliya Margolina is the personal representative of the estate of Alexandra Spivak, deceased; Nataliya Margolina is the personal representative of the estate of Anna Spivak, deceased; Alexander Sankin is the personal representative of the estate of Yakov Spivak, deceased; Khalima Taymetova is the personal representative of the estate of Bobir Taymetov, deceased; Margarita Belysheva is the personal representative of the estate of Marina Tarasova, deceased; Yuriy Tarasov is the personal

representative of the estate of Yana Tarasova, deceased; Fang Qishan is the personal representative of the estate of Fang Fang, deceased; Svetlana Sharafutdinova is the personal representative of the estate of Elena Shleikova, deceased; Yuriy Tarasov is the personal representative of the estate of Mark Yashmanov, deceased; Yuriy Tarasov is the personal representative of the estate of Semen Yashmanov, deceased; Janusz Sobek is the personal representative of the estate of Christian Sobek, deceased; Seadet Safieva is the personal representative of the estate of Ismail Safiev, deceased; Nadiya Makarova is the personal representative of the estate of Sofia Ustinova, deceased; and Alexander Sankin is the personal representative of the estate of Lyudmila Sankina, deceased; and that each such personal representative of each such estate is acting in his or her capacity for the benefit of all heirs of each of the respective decedents.

WHEREFORE, the plaintiffs, Ildyrym Abdulaev, individually and as personal representative of the estate of Rafiq Nariman Abdulaev, deceased; Aglydzhan Abdulaev; Gyzyrgul Abdulaeva; Sabukhi Abdulaev; Zibeida Abdulaeva; Mamed Abdulaev; Balakhan Abdulaev; Vagif Abdulaev; and Tofig Abdulaev; Fergane Kheirulla, individually and as personal representative of the estate of Mamemdali Azizov,

deceased, Farid Azizli, a minor by his mother and guardian, Fergane Kheirulla; Hikmet Azizli; Feride Azizli; Sarme Ataeva; Hezi Azizov; Fikret Azizov; Sevda Agayeva; Nazila Azizova; Sanubar Azizova; and Nazaket Azizova; Vasiliy Alexandrov, individually and as personal representative of the estate of Ekaterina Alexandrova, deceased; Valentina Alexandrova; and Sergey Alexandrov Alexey Afonasenkov, individually and as personal representative of the estate of Alexey Afonasenkov, Jr., deceased; Alexander Afonasenkov; Ivan Afonasenkov; Irina Afonasekova; and Yuliya Afonasenkova; Valentina Birlovskaya, individually and as personal representative of the estate of Nataliya Birlovskaya, deceased; Svetlana Golomonzina, individually and as personal representative of the estate of Mikhail Golomonzin, deceased; Igor Golomonzin; and Gennadiy Golomonzin; Elena Demeneva, individually and as personal representative of the estate of Oleg Demenev, deceased, Vadim Demenev, a minor, by his mother and guardian, Elena Demeneva, Mikhail Demenev, a minor, by his mother and guardian, Elena Demeneva, David Demenev, a minor, by his mother and guardian, Elena Demeneva; Alevtina Demeneva; and Yuriy Demenev; Ravshan Jalalov, individually and as personal representative of the estate of Akif Saday Jalalov, deceased; Mahbuba Jalalova; Hakim Jalalov; Anar

Jalalov; Hayal Jalalov; Tohfa Jalalova; Zabil Jalalov; Zahid Jalalov; Rahib Jalalov; Zokhra Huseynova; Naib Jalalov; Gulhanym Rustamova; Ilkham Jalalov; and Parvana Habibova; Anna Efremova, individually and as personal representative of the estate of Dmitriy Efremov, deceased, Vladislav Efremov, a minor, by his mother and guardian, Anna Efremova; Vladislav Efremov, Sr.; and Lyudmila Efremova; Vladimir Zalazaev, individually and as personal representative of the estate of Olga Zalazaeva a/k/a Olga Senkevich, deceased; Natalia Zalazaeva; and Aleksey Zalazaev; Olga Kytmanova, individually and as personal representative of the estate of Illya Kytmanov, deceased; Vladimir Kytmanov; and Anton Kytmanov; Hanahmed Mirzoev, individually and as personal representative of the estate of Nurida Mirzoeva, deceased; Zivar Mirzoeva; and Nail Mirzoev; Rambom Binyaminov, individually and as personal representative of the estate of Golda Nakhumova, deceased; Solmaz Binyaminova; Emil Binyaminov; and Lyudmila Binyaminova; Khavasilit Nakhumova, individually and as personal representative of the estate of Ilya Nakhumov, deceased; Rambom Binyaminov; Solmaz Binyaminova; Khavasilit Nakhumova, individually and as personal representative of the estate of Ifraim Nakhumov, deceased; Miriam Nakhumova; Sofia Nakhumova; Sabo Nakhumova; Flora Nakhumova; Tamila

Nakhumova; Iosif Nakhumov; Khavasilit Nakhumova, individually and as personal representative of the estate of Eva Nakhumova, deceased; Rambom Binyaminov; Solmaz Binyaminova; Alexander Oparin, individually and as personal representative of the estate of Alexey Oparin, deceased; Lyudmila Oparina; Alexander Oparin, Jr.; and Anna Naumova; Zhumshit Aslanov, individually and as personal representative of the estate of Tagi Osmanov, deceased; and Naila Osmanova; Margarita Pahomova, individually and as personal representative of the estate of Olga Petrova, deceased; Natalyia Petrova; Igor Pahomov; Yuriy Pahomov; Irina Popova, individually and as personal representative of the estate of Marina Popova, deceased; Igor Popov; and Ekaterina Popova; Alexander Sankin, individually and as personal representative of the estate of Evgeniy Sankin, deceased; Margarita Sankina; and Victoria Sankina; Victor Senkevich, individually and as personal representative of the estate of Sergey Senkevich, deceased; Tatyana Senkevich; and Olga Senkevich; Lyudmila Pelishenko, individually and as personal representative of the estate of Elena Solodnikova, deceased; Nataliya Margolina, individually and as personal representative of the estate of Alexandra Spivak, deceased; Sergey Margolin; Tatyana Margolina; and Alexander Sankin; Nataliya Margolina,

individually and as personal representative of the estate of Anna Spivak, deceased; Sergey Margolin; and Tatyana Margolina; Alexander Sankin, individually and as personal representative of the estate of Yakov Spivak, deceased; Zoya Prudnikova; and Egor Prudnikov; Khalima Taymetova, individually and as personal representative of the estate of Bobir Taymetov, deceased; Nodira Taymetova; and Nargiza Taymetova; Margarita Belysheva, individually and as personal representative of the estate of Marina Tarasova, deceased; Yuriy Tarasov, individually and as personal representative of the estate of Yana Tarasova, deceased; Olga Kalinina; and Stanislav Tarasov; Fang Qishan, individually and as personal representative of the estate of Fang Fang, deceased; Bao Cui Qin; and Fang Yue Zong; Svetlana Sharafutdinova, individually and as personal representative of the estate of Elena Shleikova, deceased; Nadzhip Sharafutdinov; Evelina Sharafutdinov; and Christina Shleikova; Yuriy Tarasov, individually and as personal representative of the estate of Mark Yashmanov, deceased; Yuriy Tarasov, individually and as personal representative of the estate of Semen Yashmanov, deceased; Janusz Sobek, individually and as personal representative of the estate of Christian Sobek, deceased; Gregorz Sobek; and Pawel Sobek; Seadet Safieva, individually and as personal

representative of the estate of Ismail Safiev, deceased; Nabat Safieva; Tunzila Safieva; Sadagat Safieva; and Khatira Shirinova; Nadiya Makarova, individually and as personal representative of the estate of Sofia Ustinova, deceased; Vadim Makarov; Polina Makarova; and Georgy Makarov; Alexander Sankin, individually and as personal representative of the estate of Lyudmila Sankina, deceased; Egor Prudnikov; Zoya Prudnikova; and Larisa Vorobyova; and each of them, pray that judgment be entered in their favor and against the defendants, Sojitz Aircraft Leasing, B.V., Wells Fargo Bank Northwest, N.A., ARN 737 Limited and Pinewatch Limited, and each of them, in a sum in excess of one million dollars (\$1,000,000.00) together with pre-judgment interest, attorney fees, and the costs of this action.

COUNT II

NEGLIGENT ENTRUSTMENT - OWNERS/LESSORS - SURVIVAL ACTION

1-30. Plaintiffs hereby adopt and allege paragraphs 1 through 30, inclusive, of Count I as and for paragraphs 1 through 30, inclusive of Count II as though fully set forth herein.

31. That prior to their deaths, plaintiffs' decedents, Rafiq Nariman Abdulaev; Mamemdali Azizov; Ekaterina Alexandrova; Alexey Afonassenkov, Jr.; Nataliya

Birlovskaya; Mikhail Golomonzin; Oleg Demenev; Akif Saday Jalalov; Dmitriy Efremov; Olga Zalazaeva a/k/a Olga Senkevich; Illya Kytmanov; Nurida Mirzoeva; Golda Nakhumova; Ilya Nakhumov; Ifraim Nakhumov; Eva Nakhumova; Alexey Oparin; Tagi Osmanov; Olga Petrova; Marina Popova; Evgeniy Sankin; Sergey Senkevich; Elena Solodnikova; Alexandra Spivak; Anna Spivak; Yakov Spivak; Bobir Taymetov; Marina Tarasova; Yana Tarasova; Fang Fang; Elena Shleikova; Mark Yashmanov; Semen Yashmanov; Christian Sobek; Ismail Safiev; Sofia Ustinova; and Lyudmila Sankina; and each of them, were caused to suffer multiple and diverse injuries of both a personal and pecuniary nature, inclusive of conscious pain and suffering and severe terror prior to impact and prior to their deaths.

32. That had the plaintiffs' decedents, and each of them, survived, each would have been entitled to bring an action for damages, and such action has survived each of them.

33. That Ildyrym Abdulaev is the personal representative of the estate of Rafiq Nariman Abdulaev, deceased; Fergane Kheirulla is the personal representative of the estate of Mamemdali Azizov, deceased; Vasiliy Alexandrov is the personal representative of the estate of Ekaterina Alexandrova, deceased; Alexey Afonasev is the

personal representative of the estate of Alexey Afonassenkov, Jr., deceased; Valentina Birlovskaya is the personal representative of the estate of Nataliya Birlovskaya, deceased; Svetlana Golomonzina is the personal representative of the estate of Mikhail Golomonzin, deceased; Elena Demeneva is the personal representative of the estate of Oleg Demenev, deceased; Ravshan Jalalov is the personal representative of the estate of Akif Saday Jalalov, deceased; Anna Efremova is the personal representative of the estate of Dmitriy Efremov, deceased; Vladimir Zalazaev is the personal representative of the estate of Olga Zalazaeva a/k/a Olga Senkevich, deceased; Olga Kytmanova is the personal representative of the estate of Illya Kytmanov, deceased; Hanahmed Mirzoev is the personal representative of the estate of Nurida Mirzoeva, deceased; Rambom Binyaminov is the personal representative of the estate of Golda Nakhumova, deceased; Khavasilit Nakhumova is the personal representative of the estate of Ilya Nakhumov, deceased; Khavasilit Nakhumova is the personal representative of the estate of Ifraim Nakhumov, deceased; Khavasilit Nakhumova is the personal representative of the estate of Eva Nakhumova, deceased; Alexander Oparin is the personal representative of the estate of Alexey Oparin, deceased; Zhumshit Aslanov is the

personal representative of the estate of Tagi Osmanov, deceased; Margarita Pahomova is the personal representative of the estate of Olga Petrova, deceased; Irina Popova is the personal representative of the estate of Marina Popova, deceased; Alexander Sankin is the personal representative of the estate of Evgeniy Sankin, deceased; Victor Senkevich is the personal representative of the estate of Sergey Senkevich, deceased; Lyudmila Pelishenko is the personal representative of the estate of Elena Solodnikova, deceased; Nataliya Margolina is the personal representative of the estate of Alexandra Spivak, deceased; Nataliya Margolina is the personal representative of the estate of Anna Spivak, deceased; Alexander Sankin is the personal representative of the estate of Yakov Spivak, deceased; Khalima Taymetova is the personal representative of the estate of Bobir Taymetov, deceased; Margarita Belysheva is the personal representative of the estate of Marina Tarasova, deceased; Yuriy Tarasov is the personal representative of the estate of Yana Tarasova, deceased; Fang Qishan is the personal representative of the estate of Fang Fang, deceased; Svetlana Sharafutdinova is the personal representative of the estate of Elena Shleikova, deceased; Yuriy Tarasov is the personal representative of the estate of Mark Yashmanov, deceased; Yuriy Tarasov is

the personal representative of the estate of Semen Yashmanov, deceased; Janusz Sobek is the personal representative of the estate of Christian Sobek, deceased; Seadet Safieva is the personal representative of the estate of Ismail Safiev, deceased; Nadiya Makarova is the personal representative of the estate of Sofia Ustinova, deceased; and Alexander Sankin is the personal representative of the estate of Lyudmila Sankina, deceased; and that each such personal representative of each such estate is acting in his or her capacity for the benefit of all heirs of each of the respective decedents.

WHEREFORE, the plaintiffs, Ildyrym Abdulaev, individually and as personal representative of the estate of Rafiq Nariman Abdulaev, deceased; Aglydzhan Abdulaev; Gyzyrgul Abdulaeva; Sabukhi Abdulaev; Zibeida Abdulaeva; Mamed Abdulaev; Balakhan Abdulaev; Vagif Abdulaev; and Tofig Abdulaev; Fergane Kheirulla, individually and as personal representative of the estate of Mamemdali Azizov, deceased, Farid Azizli, a minor by his mother and guardian, Fergane Kheirulla; Hikmet Azizli; Feride Azizli; Sarme Ataeva; Hezi Azizov; Fikret Azizov; Sevda Agayeva; Nazila Azizova; Sanubar Azizova; and Nazaket Azizova; Vasilii Alexandrov, individually and as personal representative of the estate of Ekaterina Alexandrova, deceased; Valentina

Alexandrova; and Sergey Alexandrov Alexey Afonasenkov, individually and as personal representative of the estate of Alexey Afonasenkov, Jr., deceased; Alexander Afonasenkov; Ivan Afonasenkov; Irina Afonasekova; and Yuliya Afonasenkova; Valentina Birlovskaya, individually and as personal representative of the estate of Nataliya Birlovskaya, deceased; Svetlana Golomonzina, individually and as personal representative of the estate of Mikhail Golomonzin, deceased; Igor Golomonzin; and Gennadiy Golomonzin; Elena Demeneva, individually and as personal representative of the estate of Oleg Demenev, deceased, Vadim Demenev, a minor, by his mother and guardian, Elena Demeneva, Mikhail Demenev, a minor, by his mother and guardian, Elena Demeneva, David Demenev, a minor, by his mother and guardian, Elena Demeneva; Alevtina Demeneva; and Yuriy Demenev; Ravshan Jalalov, individually and as personal representative of the estate of Akif Saday Jalalov, deceased; Mahbuba Jalalova; Hakim Jalalov; Anar Jalalov; Hayal Jalalov; Tohfa Jalalova; Zabil Jalalov; Zahid Jalalov; Rahib Jalalov; Zokhra Huseynova; Naib Jalalov; Gulhany Rustamova; Ilkham Jalalov; and Parvana Habibova; Anna Efremova, individually and as personal representative of the estate of Dmitriy Efremov, deceased, Vladislav Efremov, a minor, by his mother and guardian,

Anna Efremova; Vladislav Efremov, Sr.; and Lyudmila Efremova; Vladimir Zalazaev, individually and as personal representative of the estate of Olga Zalazaeva a/k/a Olga Senkevich, deceased; Natalia Zalazaeva; and Aleksey Zalazaev; Olga Kytmanova, individually and as personal representative of the estate of Illya Kytmanov, deceased; Vladimir Kytmanov; and Anton Kytmanov; Hanahmed Mirzoev, individually and as personal representative of the estate of Nurida Mirzoeva, deceased; Zivar Mirzoeva; and Nail Mirzoev; Rambom Binyaminov, individually and as personal representative of the estate of Golda Nakhumova, deceased; Solmaz Binyaminova; Emil Binyaminov; and Lyudmila Binyaminova; Khavasilit Nakhumova, individually and as personal representative of the estate of Ilya Nakhumov, deceased; Rambom Binyaminov; Solmaz Binyaminova; Khavasilit Nakhumova, individually and as personal representative of the estate of Ifraim Nakhumov, deceased; Miriam Nakhumova; Sofia Nakhumova; Sabo Nakhumova; Flora Nakhumova; Tamila Nakhumova; Iosif Nakhumov; Khavasilit Nakhumova, individually and as personal representative of the estate of Eva Nakhumova, deceased; Rambom Binyaminov; Solmaz Binyaminova; Alexander Oparin, individually and as personal representative of the estate of Alexey Oparin, deceased; Lyudmila Oparina; Alexander Oparin, Jr.; and Anna Naumova;

Zhumshit Aslanov, individually and as personal representative of the estate of Tagi Osmanov, deceased; and Naila Osmanova; Margarita Pahomova, individually and as personal representative of the estate of Olga Petrova, deceased; Natalyia Petrova; Igor Pahomov; Yuriy Pahomov; Irina Popova, individually and as personal representative of the estate of Marina Popova, deceased; Igor Popov; and Ekaterina Popova; Alexander Sankin, individually and as personal representative of the estate of Evgeniy Sankin, deceased; Margarita Sankina; and Victoria Sankina; Victor Senkevich, individually and as personal representative of the estate of Sergey Senkevich, deceased; Tatyana Senkevich; and Olga Senkevich; Lyudmila Pelishenko, individually and as personal representative of the estate of Elena Solodnikova, deceased; Nataliya Margolina, individually and as personal representative of the estate of Alexandra Spivak, deceased; Sergey Margolin; Tatyana Margolina; and Alexander Sankin; Nataliya Margolina, individually and as personal representative of the estate of Anna Spivak, deceased; Sergey Margolin; and Tatyana Margolina; Alexander Sankin, individually and as personal representative of the estate of Yakov Spivak, deceased; Zoya Prudnikova; and Egor Prudnikov; Khalima Taymetova, individually and as personal representative of the estate

of Bobir Taymetov, deceased; Nodira Taymetova; and Nargiza Taymetova; Margarita Belysheva, individually and as personal representative of the estate of Marina Tarasova, deceased; Yuriy Tarasov, individually and as personal representative of the estate of Yana Tarasova, deceased; Olga Kalinina; and Stanislav Tarasov; Fang Qishan, individually and as personal representative of the estate of Fang Fang, deceased; Bao Cui Qin; and Fang Yue Zong; Svetlana Sharafutdinova, individually and as personal representative of the estate of Elena Shleikova, deceased; Nadzhip Sharafutdinov; Evelina Sharafutdinov; and Christina Shleikova; Yuriy Tarasov, individually and as personal representative of the estate of Mark Yashmanov, deceased; Yuriy Tarasov, individually and as personal representative of the estate of Semen Yashmanov, deceased; Janusz Sobek, individually and as personal representative of the estate of Christian Sobek, deceased; Gregorz Sobek; and Pawel Sobek; Seadet Safieva, individually and as personal representative of the estate of Ismail Safiev, deceased; Nabat Safieva; Tunzila Safieva; Sadagat Safieva; and Khatira Shirinova; Nadiya Makarova, individually and as personal representative of the estate of Sofia Ustinova, deceased; Vadim Makarov; Polina Makarova; and Georgy Makarov; Alexander Sankin, individually and as personal

representative of the estate of Lyudmila Sankina, deceased; Egor Prudnikov; Zoya Prudnikova; and Larisa Vorobyova; and each of them, pray that judgment be entered in their favor and against the defendants, Sojitz Aircraft Leasing, B.V., Wells Fargo Bank Northwest, N.A., ARN 737 Limited and Pinewatch Limited, and each of them, in a sum in excess of one million dollars (\$1,000,000.00) together with pre-judgment interest, attorney fees, and the costs of this action.

COUNT III

NEGLIGENCE - OWNERS/LESSORS - WRONGFUL DEATH

1-28. Plaintiffs hereby adopt and allege paragraphs 1 through 28 of plaintiffs' General Allegations as and for paragraphs 1 through 28, inclusive of Count III as though fully set forth herein.

29. That it then and there became the duty of the defendants, Sojitz Aircraft Leasing, B.V., Wells Fargo Bank Northwest, N.A., ARN 737 Limited and Pinewatch Limited, and each of them, to exercise reasonable care in their conduct so as not to cause injury to persons, including the plaintiffs' decedents.

30. Notwithstanding, the defendants, Sojitz Aircraft Leasing, B.V., Wells Fargo Bank Northwest, N.A., ARN 737

Limited and Pinewatch Limited, and each of them, breached their duty of care in one or more of the following manners:

- a) Negligently and carelessly failed to conduct proper and adequate safety audits and inspections of the flight operations of Aeroflot-Nord.
- b) Negligently and carelessly failed to provide and/or ensure proper and adequate training of pilots operating the accident aircraft on behalf of Aeroflot-Nord.
- c) Negligently and carelessly failed to incorporate proper and adequate provisions for safety in the master lease and sublease of the accident aircraft;
- d) Negligently and carelessly relied on the governments of Bermuda and Russia to ensure the proper and safe operation and maintenance of the accident aircraft;
- e) Negligently and carelessly failed to provide a safe and airworthy aircraft to Aeroflot-Nord;
- f) Negligently and carelessly failed to supply proper and adequate instructions in the use of the accident aircraft to Aeroflot-Nord;
- g) Negligently and carelessly failed to supply proper and adequate warning and limitations on the operation of the accident aircraft to Aeroflot-Nord; and/or
- h) Otherwise negligently and carelessly committed acts and/or omissions to be determined through discovery in this action.

31. That as a result of the breach of duty by the defendants, Sojitz Aircraft Leasing, B.V., Wells Fargo Bank Northwest, N.A., ARN 737 Limited and Pinewatch Limited, and

each of them, the accident aircraft was caused to and did crash into the ground near Perm, Russia, and as a consequence thereof, the plaintiffs' decedents, and each of them, suffered personal injuries that resulted in their deaths.

32. At the time of their deaths, the plaintiffs' decedents, and each of them, left surviving certain next-of-kin and/or heirs, including but not limited to plaintiffs, Ildyrym Abdulaev; Aglydzhan Abdulaev; Gyzyrgul Abdulaeva; Sabukhi Abdulaev; Zibeida Abdulaeva; Mamed Abdulaev; Balakhan Abdulaev; Vagif Abdulaev; Tofiq Abdulaev; Fergane Kheirulla; Farid Azizli, a minor; Hikmet Azizli; Feride Azizli; Sarme Ataeva; Hezi Azizov; Fikret Azizov; Sevda Agayeva; Nazila Azizova; Sanubar Azizova; Nazaket Azizova; Vasiliy Alexandrov; Valentina Alexandrova; Sergey Alexandrov; Alexey Afonasenkov; Alexander Afonasenkov; Ivan Afonasenkov; Irina Afonasekova; Yuliya Afonasekova; Valentina Birlovskaya; Svetlana Golomonzina; Igor Golomonzin; Gennadiy Golomonzin; Elena Demeneva; Vadim Demenev, a minor; Mikhail Demenev, a minor; David Demenev, a minor; Alevtina Demeneva; Yuriy Demenev; Ravshan Jalalov; Mahbuba Jalalova; Hakim Jalalov; Anar Jalalov; Hayal Jalalov; Tohfa Jalalova; Zabil Jalalov; Zahid Jalalov; Rahib Jalalov; Zokhra Huseynova; Naib Jalalov; Gulhanyam

Rustamova; Ilkham Jalalov; Parvana Habibova; Anna Efremova;
 Vladislav Efremov, a minor; Vladislav Efremov, Sr.;
 Lyudmila Efremova; Vladimir Zalazaev; Natalia Zalazaeva;
 Aleksey Zalazaev; Olga Kytmanova; Vladimir Kytmanov; Anton
 Kytmanov; Hanahmed Mirzoev; Zivar Mirzoeva; Nail Mirzoev;
 Rambom Binyaminov; Solmaz Binyaminova; Emil Binyaminov; and
 Lyudmila Binyaminova; Khavasilit Nakhumova; Rambom
 Binyaminov; Solmaz Binyaminova; Khavasilit Nakhumova;
 Miriam Nakhumova; Sofia Nakhumova; Sabo Nakhumova; Flora
 Nakhumova; Tamila Nakhumova; Iosif Nakhumov; Khavasilit
 Nakhumova; Rambom Binyaminov; Solmaz Binyaminova; Alexander
 Oparin; Lyudmila Oparina; Alexander Oparin, Jr.; Anna
 Naumova; Zhumshit Aslanov; Naila Osmanova; Margarita
 Pahomova; Natalyia Petrova; Igor Pahomov; Yuriy Pahomov;
 Irina Popova; Igor Popov; Ekaterina Popova; Alexander
 Sankin; Margarita Sankina; Victoria Sankina; Victor
 Senkevich; Tatyana Senkevich; Olga Senkevich; Lyudmila
 Pelishenko; Nataliya Margolina; Sergey Margolin; Tatyana
 Margolina; Alexander Sankin; Nataliya Margolina; Sergey
 Margolin; Tatyana Margolina; Alexander Sankin; Zoya
 Prudnikova; Egor Prudnikov; Khalima Taymetova; Djakhangir
 Taymetov; Nodira Taymetova; Nargiza Taymetova; Margarita
 Belysheva; Yuriy Tarasov; Olga Kalinina; Stanislav Tarasov;
 Fang Qishan; Bao Cui Qin; Fang Yue Zong; Svetlana

Sharafutdinova; Nadzhip Sharafutdinov; Evelina Sharafutdinov; Christina Shleikova; Yuriy Tarasov; Janusz Sobek; Gregorz Sobek; and Pawel Sobek; Seadet Safieva; Nabat Safieva; Tunzila Safieva; Sadagat Safieva; Khatira Shirinova; Nadiya Makarova; Vadim Makarov; Polina Makarova; and Georgy Makarov; each for whose benefit this action is brought.

33. By reason of the premises, said next-of-kin and/or heirs of plaintiffs' decedents, including but not limited to plaintiffs, Ildyrym Abdulaev; Aglydzhan Abdulaev; Gyzyrgul Abdulaeva; Sabukhi Abdulaev; Zibeida Abdulaeva; Mamed Abdulaev; Balakhan Abdulaev; Vagif Abdulaev; Tofig Abdulaev; Fergane Kheirulla; Farid Azizli, a minor; Hikmet Azizli; Feride Azizli; Sarime Ataeva; Hezi Azizov; Fikret Azizov; Sevda Agayeva; Nazila Azizova; Sanubar Azizova; Nazaket Azizova; Vasiliy Alexandrov; Valentina Alexandrova; Sergey Alexandrov; Alexey Afonasenkov; Alexander Afonasenkov; Ivan Afonasenkov; Irina Afonasekova; Yuliya Afonasenkov; Valentina Birlovskaya; Svetlana Golomonzina; Igor Golomonzin; Gennadiy Golomonzin; Elena Demeneva; Vadim Demenev, a minor; Mikhail Demenev, a minor; David Demenev, a minor; Alevtina Demeneva; Yuriy Demenev; Ravshan Jalalov; Mahbuba Jalalova; Hakim Jalalov; Anar Jalalov; Hayal Jalalov; Tohfa Jalalova; Zabil Jalalov;

Zahid Jalalov; Rahib Jalalov; Zokhra Huseynova; Naib Jalalov; Gulhanyam Rustamova; Ilkham Jalalov; Parvana Habibova; Anna Efremova; Vladislav Efremov, a minor; Vladislav Efremov, Sr.; Lyudmila Efremova; Vladimir Zalazaev; Natalia Zalazaeva; Aleksey Zalazaev; Olga Kytmanova; Vladimir Kytmanov; Anton Kytmanov; Hanahmed Mirzoev; Zivar Mirzoeva; Nail Mirzoev; Rambom Binyaminov; Solmaz Binyaminova; Emil Binyaminov; and Lyudmila Binyaminova; Khavasilit Nakhumova; Rambom Binyaminov; Solmaz Binyaminova; Khavasilit Nakhumova; Miriam Nakhumova; Sofia Nakhumova; Sabo Nakhumova; Flora Nakhumova; Tamila Nakhumova; Iosif Nakhumov; Khavasilit Nakhumova; Rambom Binyaminov; Solmaz Binyaminova; Alexander Oparin; Lyudmila Oparina; Alexander Oparin, Jr.; Anna Naumova; Zhumshit Aslanov; Naila Osmanova; Margarita Pahomova; Natalyia Petrova; Igor Pahomov; Yuriy Pahomov; Irina Popova; Igor Popov; Ekaterina Popova; Alexander Sankin; Margarita Sankina; Victoria Sankina; Victor Senkevich; Tatyana Senkevich; Olga Senkevich; Lyudmila Pelishenko; Nataliya Margolina; Sergey Margolin; Tatyana Margolina; Alexander Sankin; Nataliya Margolina; Sergey Margolin; Tatyana Margolina; Alexander Sankin; Zoya Prudnikova; Egor Prudnikov; Khalima Taymetova; Djakhangir Taymetov; Nodira Taymetova; Nargiza Taymetova; Margarita Belysheva; Yuriy

Tarasov; Olga Kalinina; Stanislav Tarasov; Fang Qishan; Bao Cui Qin; Fang Yue Zong; Svetlana Sharafutdinova; Nadzhip Sharafutdinov; Evelina Sharafutdinov; Christina Shleikova; Yuriy Tarasov; Janusz Sobek; Gregorz Sobek; and Pawel Sobek; Seadet Safieva; Nabat Safieva; Tunzila Safieva; Sadagat Safieva; Khatira Shirinova; Nadiya Makarova; Vadim Makarov; Polina Makarova; and Georgy Makarov; Alexander Sankin; Egor Prudnikov; Zoya Prudnikova; and Larisa Vorobyova; and each of them, have sustained substantial personal and pecuniary damages, including but not limited to, loss of society and companionship, moral damages, and the loss of each of the respective decedent's earning capacity.

34. That Ildyrym Abdulaev is the personal representative of the estate of Rafiq Nariman Abdulaev, deceased; Fergane Kheirulla is the personal representative of the estate of Mamemdali Azizov, deceased; Vasiliy Alexandrov is the personal representative of the estate of Ekaterina Alexandrova, deceased; Alexey Afonasev is the personal representative of the estate of Alexey Afonasev, Jr., deceased; Valentina Birlovskaya is the personal representative of the estate of Nataliya Birlovskaya, deceased; Svetlana Golomonzina is the personal representative of the estate of Mikhail Golomonzin,

deceased; Elena Demeneva is the personal representative of the estate of Oleg Demenev, deceased; Ravshan Jalalov is the personal representative of the estate of Akif Saday Jalalov, deceased; Anna Efremova is the personal representative of the estate of Dmitriy Efremov, deceased; Vladimir Zalazaev is the personal representative of the estate of Olga Zalazaeva a/k/a Olga Senkevich, deceased; Olga Kytmanova is the personal representative of the estate of Illya Kytmanov, deceased; Hanahmed Mirzoev is the personal representative of the estate of Nurida Mirzoeva, deceased; Rambom Binyaminov is the personal representative of the estate of Golda Nakhumova, deceased; Khavasilit Nakhumova is the personal representative of the estate of Ilya Nakhumov, deceased; Khavasilit Nakhumova is the personal representative of the estate of Ifraim Nakhumov, deceased; Khavasilit Nakhumova is the personal representative of the estate of Eva Nakhumova, deceased; Alexander Oparin is the personal representative of the estate of Alexey Oparin, deceased; Zhumshit Aslanov is the personal representative of the estate of Tagi Osmanov, deceased; Margarita Pahomova is the personal representative of the estate of Olga Petrova, deceased; Irina Popova is the personal representative of the estate of Marina Popova, deceased; Alexander Sankin is the personal representative

of the estate of Evgeniy Sankin, deceased; Victor Senkevich is the personal representative of the estate of Sergey Senkevich, deceased; Lyudmila Pelishenko is the personal representative of the estate of Elena Solodnikova, deceased; Nataliya Margolina is the personal representative of the estate of Alexandra Spivak, deceased; Nataliya Margolina is the personal representative of the estate of Anna Spivak, deceased; Alexander Sankin is the personal representative of the estate of Yakov Spivak, deceased; Khalima Taymetova is the personal representative of the estate of Bobir Taymetov, deceased; Margarita Belysheva is the personal representative of the estate of Marina Tarasova, deceased; Yuriy Tarasov is the personal representative of the estate of Yana Tarasova, deceased; Fang Qishan is the personal representative of the estate of Fang Fang, deceased; Svetlana Sharafutdinova is the personal representative of the estate of Elena Shleikova, deceased; Yuriy Tarasov is the personal representative of the estate of Mark Yashmanov, deceased; Yuriy Tarasov is the personal representative of the estate of Semen Yashmanov, deceased; Janusz Sobek is the personal representative of the estate of Christian Sobek, deceased; Seadet Safieva is the personal representative of the estate of Ismail Safiev, deceased; Nadiya Makarova is the personal

representative of the estate of Sofia Ustinova, deceased; and Alexander Sankin is the personal representative of the estate of Lyudmila Sankina, deceased; and that each such personal representative of each such estate is acting in his or her capacity for the benefit of all heirs of each of the respective decedents.

WHEREFORE, the plaintiffs, Ildyrym Abdulaev, individually and as personal representative of the estate of Rafiq Nariman Abdulaev, deceased; Aglydzhan Abdulaev; Gyzyrgul Abdulaeva; Sabukhi Abdulaev; Zibeida Abdulaeva; Mamed Abdulaev; Balakhan Abdulaev; Vagif Abdulaev; and Tofiq Abdulaev; Fergane Kheirulla, individually and as personal representative of the estate of Mamemdali Azizov, deceased, Farid Azizli, a minor by his mother and guardian, Fergane Kheirulla; Hikmet Azizli; Feride Azizli; Sarme Ataeva; Hezi Azizov; Fikret Azizov; Sevda Agayeva; Nazila Azizova; Sanubar Azizova; and Nazaket Azizova; Vasiliy Alexandrov, individually and as personal representative of the estate of Ekaterina Alexandrova, deceased; Valentina Alexandrova; and Sergey Alexandrov Alexey Afonasekov, individually and as personal representative of the estate of Alexey Afonasekov, Jr., deceased; Alexander Afonasekov; Ivan Afonasekov; Irina Afonasekova; and Yuliya Afonasekova; Valentina Birlovskaya, individually

and as personal representative of the estate of Nataliya Birlovskaya, deceased; Svetlana Golomonzina, individually and as personal representative of the estate of Mikhail Golomonzin, deceased; Igor Golomonzin; and Gennadiy Golomonzin; Elena Demeneva, individually and as personal representative of the estate of Oleg Demenev, deceased, Vadim Demenev, a minor, by his mother and guardian, Elena Demeneva, Mikhail Demenev, a minor, by his mother and guardian, Elena Demeneva, David Demenev, a minor, by his mother and guardian, Elena Demeneva; Alevtina Demeneva; and Yuriy Demenev; Ravshan Jalalov, individually and as personal representative of the estate of Akif Saday Jalalov, deceased; Mahbuba Jalalova; Hakim Jalalov; Anar Jalalov; Hayal Jalalov; Tohfa Jalalova; Zabil Jalalov; Zahid Jalalov; Rahib Jalalov; Zokhra Huseynova; Naib Jalalov; Gulhanym Rustamova; Ilkham Jalalov; and Parvana Habibova; Anna Efremova, individually and as personal representative of the estate of Dmitriy Efremov, deceased, Vladislav Efremov, a minor, by his mother and guardian, Anna Efremova; Vladislav Efremov, Sr.; and Lyudmila Efremova; Vladimir Zalazaev, individually and as personal representative of the estate of Olga Zalazaeva a/k/a Olga Senkevich, deceased; Natalia Zalazaeva; and Aleksey Zalazaev; Olga Kytmanova, individually and as personal

representative of the estate of Illya Kytmanov, deceased; Vladimir Kytmanov; and Anton Kytmanov; Hanahmed Mirzoev, individually and as personal representative of the estate of Nurida Mirzoeva, deceased; Zivar Mirzoeva; and Nail Mirzoev; Rambom Binyaminov, individually and as personal representative of the estate of Golda Nakhumova, deceased; Solmaz Binyaminova; Emil Binyaminov; and Lyudmila Binyaminova; Khavasilit Nakhumova, individually and as personal representative of the estate of Ilya Nakhumov, deceased; Rambom Binyaminov; Solmaz Binyaminova; Khavasilit Nakhumova, individually and as personal representative of the estate of Ifraim Nakhumov, deceased; Miriam Nakhumova; Sofia Nakhumova; Sabo Nakhumova; Flora Nakhumova; Tamila Nakhumova; Iosif Nakhumov; Khavasilit Nakhumova, individually and as personal representative of the estate of Eva Nakhumova, deceased; Rambom Binyaminov; Solmaz Binyaminova; Alexander Oparin, individually and as personal representative of the estate of Alexey Oparin, deceased; Lyudmila Oparina; Alexander Oparin, Jr.; and Anna Naumova; Zhumshit Aslanov, individually and as personal representative of the estate of Tagi Osmanov, deceased; and Naila Osmanova; Margarita Pahomova, individually and as personal representative of the estate of Olga Petrova, deceased; Natalyia Petrova; Igor Pahomov; Yuriy Pahomov;

Irina Popova, individually and as personal representative of the estate of Marina Popova, deceased; Igor Popov; and Ekaterina Popova; Alexander Sankin, individually and as personal representative of the estate of Evgeniy Sankin, deceased; Margarita Sankina; and Victoria Sankina; Victor Senkevich, individually and as personal representative of the estate of Sergey Senkevich, deceased; Tatyana Senkevich; and Olga Senkevich; Lyudmila Pelishenko, individually and as personal representative of the estate of Elena Solodnikova, deceased; Nataliya Margolina, individually and as personal representative of the estate of Alexandra Spivak, deceased; Sergey Margolin; Tatyana Margolina; and Alexander Sankin; Nataliya Margolina, individually and as personal representative of the estate of Anna Spivak, deceased; Sergey Margolin; and Tatyana Margolina; Alexander Sankin, individually and as personal representative of the estate of Yakov Spivak, deceased; Zoya Prudnikova; and Egor Prudnikov; Khalima Taymetova, individually and as personal representative of the estate of Bobir Taymetov, deceased; Nodira Taymetova; and Nargiza Taymetova; Margarita Belysheva, individually and as personal representative of the estate of Marina Tarasova, deceased; Yuriy Tarasov, individually and as personal representative of the estate of Yana Tarasova, deceased;

Olga Kalinina; and Stanislav Tarasov; Fang Qishan, individually and as personal representative of the estate of Fang Fang, deceased; Bao Cui Qin; and Fang Yue Zong; Svetlana Sharafutdinova, individually and as personal representative of the estate of Elena Shleikova, deceased; Nadzhip Sharafutdinov; Evelina Sharafutdinov; and Christina Shleikova; Yuriy Tarasov, individually and as personal representative of the estate of Mark Yashmanov, deceased; Yuriy Tarasov, individually and as personal representative of the estate of Semen Yashmanov, deceased; Janusz Sobek, individually and as personal representative of the estate of Christian Sobek, deceased; Gregorz Sobek; and Pawel Sobek; Seadet Safieva, individually and as personal representative of the estate of Ismail Safiev, deceased; ~~Nabat Safieva; Tunzila Safieva; Sadagat Safieva; and~~ Khatira Shirinova; Nadiya Makarova, individually and as personal representative of the estate of Sofia Ustinova, deceased; Vadim Makarov; Polina Makarova; and Georgy Makarov; Alexander Sankin, individually and as personal representative of the estate of Lyudmila Sankina, deceased; Egor Prudnikov; Zoya Prudnikova; and Larisa Vorobyova; and each of them, pray that judgment be entered in their favor and against the defendants, Sojitz Aircraft Leasing, B.V., Wells Fargo Bank Northwest, N.A., ARN 737 Limited and

Pinewatch Limited, and each of them, in a sum in excess of one million dollars (\$1,000,000.00) together with pre-judgment interest, attorney fees, and the costs of this action.

COUNT IV

NEGLIGENCE - OWNERS/LESSORS - SURVIVAL ACTION

1-31. Plaintiffs hereby adopt and allege paragraphs 1 through 31, inclusive, of Count III as and for paragraphs 1 through 31, inclusive of Count IV as though fully set forth herein.

32. That prior to their deaths, plaintiffs' decedents, Rafiq Nariman Abdulaev; Mamemdali Azizov; Ekaterina Alexandrova; Alexey Afonasenkov, Jr.; Nataliya Birlovskaya; Mikhail Golomonzin; Oleg Demenev; Akif Saday Jalalov; Dmitriy Efremov; Olga Zalazaeva a/k/a Olga Senkevich; Illya Kytmanov; Nurida Mirzoeva; Golda Nakhumova; Ilya Nakhumov; Ifraim Nakhumov; Eva Nakhumova; Alexey Oparin; Tagi Osmanov; Olga Petrova; Marina Popova; Evgeniy Sankin; Sergey Senkevich; Elena Solodnikova; Alexandra Spivak; Anna Spivak; Yakov Spivak; Bobir Taymetov; Marina Tarasova; Yana Tarasova; Fang Fang; Elena Shleikova; Mark Yashmanov; Semen Yashmanov; Christian Sobek; Ismail Safiev; Sofia Ustinova; and Lyudmila Sankina; and each of them, were caused to suffer multiple and